

Healthy Iowans Tobacco Trust House File 2615

Last Action:

House Floor

April 3, 2002

An Act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund, and providing effective dates.



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LEGISLATIVE FISCAL BUREAU NOTES ON BILLS AND AMENDMENTS (NOBA)

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EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

HOUSE FILE 2615 HEALTHY IOWANS TOBACCO TRUST

HEALTHY IOWANS TOBACCO TRUST DEPARTMENT OF HUMAN SERVICES

- Appropriates \$65.2 million from the Healthy Iowans Tobacco Trust for various health-related appropriations. This is an increase of \$4.9 million compared to the estimated net FY 2002 appropriation.
- Appropriates a total of \$44.9 million from the Healthy Iowans Tobacco Trust to the Department of Human Services. This is an increase of \$12.1 million compared to the estimated net FY 2002 appropriation. This includes \$25.3 million for the same appropriations as in FY 2002 for:
 - \$8.1 million for Health Related Noninstitutional Providers. (Page 1, Line 8)
 - \$3.8 million for Dental Services. (Page 1, Line 20)
 - \$3.2 million for Rehabilitative Treatment and Support Service Providers. (Page 1, Line 26)
 - \$469,000 for Adoption, Independent Living, Shelter Care, and Home Studies Service Providers. (Page 1, Line 32)
 - \$3.0 million for Hospitals. (Page 2, Line 3)
 - \$2.1 million for Home Health Care Services. (Page 2, Line 8)
 - \$250,000 for Critical Access Hospitals. (Page 2, Line 14)
 - \$2.0 million for Home Health Care Services and Habilitative Day Care. (Page 2, Line 20)
 - \$1.1 million for Respite Care Services. (Page 2, Line 26)
 - \$546,000 for Various Service Providers. (Page 2, Line 32)
 - \$200,000 for Children's Health Insurance Program Supplementation. (Page 3, Line 3)
 - \$250,000 for Breast and Cervical Cancer. (Page 3, Line 10)
 - \$147,000 for local purchase of service providers. (Page 6, Line 13)

MEDICAL ASSISTANCE SUPPLEMENTATION

- Appropriates \$17.5 million to the Department of Human Services for Medical Assistance (Medicaid). This is an increase of \$10.0 million compared to the estimated net FY 2002 appropriation. (Page 3, Line 7)

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPPA)

- Appropriates \$2.1 million to the Department of Human Services for the Health Insurance Portability and Accountability Act (HIPPA). This is a new appropriation for FY 2003. (Page 7, Line 1)

DEPARTMENT OF PUBLIC HEALTH

- Appropriates \$18.6 million to the Department of Public Health. This is a decrease of \$7.2 million compared to the estimated FY 2002 appropriation for the following major changes:

EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

HOUSE FILE 2615 HEALTHY IOWANS TOBACCO TRUST

DEPARTMENT OF PUBLIC HEALTH (CONTINUED)

- \$5.0 million and 7.0 FTE positions for Tobacco Use Prevention and Control Initiatives. This is a decrease of \$4.3 million and 4.5 FTE positions compared to the estimated net FY 2002 appropriation. (Page 3, Line 16)
- \$10.0 million for substance abuse treatment programs. This is a decrease of \$1.8 million compared to the estimated net FY 2002 appropriation. (Page 4, Line 8)
- \$2.4 million and 4.0 FTE positions for the Healthy Iowans 2010 Plan. This is a decrease of \$160,000 and no change in FTE positions compared to the estimated net FY 2002 appropriation. (Page 4, Line 29)
- \$1.1 million and 60.0 FTE positions for a Substance Abuse Treatment Facility. This is a decrease of \$900,000 and no change in FTE positions compared to the estimated net FY 2002 appropriation. (Page 7, Line 17)

DEPARTMENT OF CORRECTIONS

- Appropriates \$610,000 for four Judicial District Departments of Correctional Services day programming and drug courts. This maintains the current level of funding. (Page 5, Line 31)

IOWA EMPOWERMENT FUNDING CODE OF IOWA CHANGES

- Appropriates \$1.2 million for School Ready Grants for Iowa Empowerment. (Page 6, Line 29)
- Requires that funds remaining from the FY 2002 appropriation for the Substance Abuse Treatment Facility not revert and be expended in FY 2003. (Page 7, Line 33)
- Requires that funds remaining from the FY 2002 appropriation for the Tobacco Use Prevention and Control Initiative not revert and be expended in FY 2003. (Page 8, Line 12)
- Requires that \$9.0 million of the \$75.0 million of the FY 2003 appropriation from wagering taxes to the Endowment for Iowa's Health Account of the Tobacco Settlement Fund be transferred to the Healthy Iowans Tobacco Trust. (Page 8, Line 23)
- Eliminates the \$27.0 million FY 2003 appropriation from the General Fund to the Endowment for Iowa's Health Account of the Tobacco Settlement Trust Fund. (Page 9, Line 20)

EFFECTIVE DATES

- Specifies that the appropriation to the Department of Human Services for the Health Insurance Portability and Accountability Act (HIPPA) takes effect upon enactment. (Page 9, Line 32)
- Specifies that the nonreversion of the FY 2002 appropriation for the Substance Abuse Treatment Facility takes effect upon enactment. (Page 9, Line 32)
- Specifies that the nonreversion of the FY 2002 appropriation for the Tobacco Use Prevention and Control Initiative takes effect upon enactment. (Page 9, Line 32)

House File 2615

House File 2615 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
7	11	4	Nwthstnd	Sec. 8.33	HIPPA Nonreversion
7	33	6	Nwthstnd	Sec. 8.33 and 3.3, Chapter 184, 2001 Iowa Acts	Nonreversion of Funds for Substance Abuse Facility
8	12	7	Nwthstnd	Sec. 8.33, and 13, Chapter 184, 2001 Iowa Acts	Nonreversion of Tobacco Use Prevention Funds
8	23	8	Amends	Sec. 1, Chapter 174, 2001 Iowa Acts	Wagering Tax Transfer
9	20	8	Amends	Sec. 1, Chapter 174, 2001 Iowa Acts	General Fund Transfer

1 1 Section 1. HEALTHY IOWANS TOBACCO TRUST -- APPROPRIATIONS
 1 2 TO DEPARTMENTS. There is appropriated from the healthy Iowans
 1 3 tobacco trust created in section 12.65 to the following
 1 4 departments for the fiscal year beginning July 1, 2002, and
 1 5 ending June 30, 2003, the following amounts, or so much
 1 6 thereof as is necessary, to be used for the purposes
 1 7 designated:

1 8 1. To the department of human services:
 1 9 a. Unless otherwise provided, to maintain the
 1 10 reimbursement rate for all noninstitutional medical assistance
 1 11 providers, with the exception of anesthesia and dental
 1 12 services, at the rate provided under the federal Medicare
 1 13 program for such providers during the fiscal year beginning
 1 14 July 1, 2000, and ending June 30, 2001, as specified in 2000
 1 15 Iowa Acts, chapter 1221, section 1, subsection 1, paragraph
 1 16 "a", for the fiscal year July 1, 2002, through June 30, 2003,
 1 17 and to continue the resource-based relative value system of
 1 18 reimbursement under the medical assistance program:
 1 19 \$ 8,095,718

Healthy Iowans Tobacco Trust appropriation to the Department of Human Services (DHS) to continue the increased reimbursement rate for all noninstitutional Medical Assistance providers except anesthesia and dental services received with Tobacco Settlement Fund monies in FY 2001.

DETAIL: This is no change compared to the estimated FY 2002 appropriation to annualize the FY 2001 increase which began November 1, 2000, as well as fund changes in provider services and the number of eligibles. This does not include any percentage increase in reimbursement rates for FY 2003.

Medical Assistance providers who receive reimbursements under this subsection include:

1. Physicians
2. Optometrists
3. Podiatrists
4. Chiropractors
5. Clinics
6. Psychiatrists
7. Psychologists

1 20 b. To maintain the reimbursement rate at the usual and
 1 21 customary rate as established in 2000 Iowa Acts, chapter 1221,
 1 22 section 1, subsection 1, paragraph "b", for the fiscal year
 1 23 July 1, 2002, through June 30, 2003, for dental services under
 1 24 the medical assistance program:
 1 25 \$ 3,814,973

Healthy Iowans Tobacco Trust appropriation to the DHS to continue the increased reimbursement rate for dental services at 75.00% of usual and customary rates received with Tobacco Settlement Fund monies in FY 2002.

DETAIL: This is no change compared to estimated net FY 2002 and maintains the rate reimbursement increase received from Tobacco

1 26 c. To maintain the cost-of-living adjustment as
 1 27 established in 2000 Iowa Acts, chapter 1221, section 1,
 1 28 subsection 1, paragraph "c", for the fiscal year July 1, 2002,
 1 29 through June 30, 2003, for rehabilitative treatment and
 1 30 support services providers under child and family services:
 1 31 \$ 3,243,026

Settlement Funds in FY 2002 for changes in services and the number of eligibles. This does not include any percentage increase in reimbursement rates for FY 2003.

Healthy Iowans Tobacco Trust appropriation to the DHS to continue the increased reimbursement rate for rehabilitative treatment and support services providers received with Tobacco Settlement Fund appropriations in FY 2002.

DETAIL: This is no change compared to the estimated FY 2002 appropriation to reflect changes in services and the number of eligibles. This does not include any percentage increase in reimbursement rates for FY 2003. The following child welfare services receive funding from these appropriations:

1. Family preservation
2. Family centered services
3. Foster family care
4. Group care

1 32 d. To maintain the cost-of-living adjustment as
 1 33 established in 2000 Iowa Acts, chapter 1221, section 1,
 1 34 subsection 1, paragraph "d", for the fiscal year July 1, 2002,
 1 35 through June 30, 2003, for adoption, independent living,
 2 1 shelter care, and home studies services providers:
 2 2 \$ 468,967

Healthy Iowans Tobacco Trust appropriation to the DHS to continue the increased reimbursement rate for specified child welfare service providers received with Tobacco Settlement Fund appropriations in FY 2002.

DETAIL: This is no change compared to the estimated FY 2002 appropriation to reflect changes in services and the number of eligibles. This does not include any percentage increase in reimbursement rates for FY 2003. The following child welfare services receive funding from these appropriations:

1. Subsidized adoption
2. Independent living
3. Shelter care
4. Home studies
5. Protective childcare
6. Wraparound services

2 3 e. To maintain the reimbursement rate as established in
 2 4 2000 Iowa Acts, chapter 1221, section 1, subsection 1,
 2 5 paragraph "e", for the fiscal year July 1, 2002, through June
 2 6 30, 2003, for hospitals under the medical assistance program:
 2 7 \$ 3,035,278

Healthy Iowans Tobacco Trust appropriation to the DHS to continue the increase in reimbursement rates for hospitals received with Tobacco Settlement Fund appropriations in FY 2002.

DETAIL: This is no change compared to the estimated FY 2002 appropriation for changes in services and the number of eligibles. This does not include any percentage increase in reimbursement rates for FY 2003. The appropriation provides funds to inpatient and outpatient hospital services reimbursed under the Medical Assistance Program.

2 8 f. To maintain the reimbursement rate as established in
 2 9 2000 Iowa Acts, chapter 1221, section 1, subsection 1,
 2 10 paragraph "f", for the fiscal year July 1, 2002, through June
 2 11 30, 2003, for home health care services under the medical
 2 12 assistance program:
 2 13 \$ 2,108,279

Healthy Iowans Tobacco Trust appropriation to the DHS to continue the increase in reimbursement rates for home health care received with Tobacco Settlement Fund appropriations in FY 2002.

DETAIL: This is no change compared to the estimated FY 2002 appropriation for changes in services and the number of eligibles. This does not include any percentage increase in reimbursement rates for FY 2003.

2 14 g. To maintain the reimbursement rate as established in
 2 15 2000 Iowa Acts, chapter 1221, section 1, subsection 1,
 2 16 paragraph "g", for the fiscal year July 1, 2002, through June
 2 17 30, 2003, for critical access hospitals under the medical
 2 18 assistance program:
 2 19 \$ 250,000

Healthy Iowans Tobacco Trust appropriation to the DHS to continue the increase in reimbursement rates for critical access hospitals received with Tobacco Settlement Fund appropriations in FY 2002.

DETAIL: This is no change compared to the estimated FY 2002 appropriation. This does not include any percentage increase in reimbursement rates for FY 2003.

2 20 h. To maintain the expansion of home health care services
 2 21 and habilitative day care as established in 2000 Iowa Acts,
 2 22 chapter 1221, section 1, subsection 1, paragraph "h", under
 2 23 the medical assistance program for children with special
 2 24 needs:
 2 25 \$ 1,975,496

Healthy Iowans Tobacco Trust appropriation to the DHS to continue the increase in reimbursement rates for home health care services and habilitative day care services to special needs children received with Tobacco Settlement Fund appropriations in FY 2001.

DETAIL: This is no change compared to the estimated FY 2002 appropriation for changes in services and the number of eligibles. The appropriation is for home health care services for special needs children and habilitative day care services to special needs children being served through waiver programs. This does not include any

percentage increase in reimbursement rates for FY 2003.

2 26 i. To maintain the expansion of respite care services
 2 27 provided through home and community-based waivers as
 2 28 established in 2000 Iowa Acts, chapter 1221, section 1,
 2 29 subsection 1, paragraph "i", under the medical assistance
 2 30 program:
 2 31 \$ 1,137,309

Healthy Iowans Tobacco Trust appropriation to the DHS to continue the increase in reimbursement rates for respite care services provided through home and community-based waivers received with Tobacco Settlement Fund appropriations in FY 2002.

DETAIL: This is no change compared to the estimated FY 2002 appropriation to reflect changes in services and the number of eligibles. The appropriation provides respite services to families with special needs individuals residing in their homes through home and community-based waivers. This does not include any percentage increase in reimbursement rates for FY 2003.

2 32 j. To maintain the reimbursement rate as established in
 2 33 2000 Iowa Acts, chapter 1221, section 1, subsection 1,
 2 34 paragraph "j", for the fiscal year July 1, 2002, through June
 2 35 30, 2003, to service providers under the purview of the
 3 1 department of human services:
 3 2 \$ 545,630

Healthy Iowans Tobacco Trust appropriation to the DHS to continue the increase in reimbursement rates for specified service providers received with Tobacco Settlement Fund appropriations in FY 2002.

DETAIL: This is no change compared to the estimated FY 2002 appropriation to reflect changes in services and the number of eligibles. This does not include any percentage increase in reimbursement rates for FY 2003. The appropriation provides funds to the following services:

1. Early and periodic screening, diagnosis, and treatment
 2. Community mental health centers
 3. Durable medical equipment and supplies
 4. Laboratory and x-ray services
 5. Ambulance
 6. Other practitioners including nurse practitioners and Physician Assistants
 7. Waiver services
 8. Psychiatric Medical Institutions for Children
- Residential Care Facilities In-home health care providers

3 3 2. To the department of human services to continue the
 3 4 supplementation of the children's health insurance program

Healthy Iowans Tobacco Trust appropriation to the DHS to continue the supplementation for the Children's Health Insurance Program

3 5	appropriation:	appropriation.
3 6	..... \$ 200,000	DETAIL: This is no change compared to the estimated FY 2002 appropriation.
3 7	3. To the department of human services to continue the	Healthy lowans Tobacco Trust appropriation to the DHS to
3 8	supplementation of the medical assistance appropriation:	supplement the Medical Assistance (Medicaid) General Fund
3 9	..... \$ 17,500,000	appropriation.
		DETAIL: This is an increase of \$10,000,000 compared to the estimated FY 2002 appropriation. This increase funds a portion of the FY 2003 total increase for Medicaid compared to the FY 2002 cost.
3 10	4. To the department of human services to provide coverage	Healthy lowans Tobacco Trust appropriation to the DHS to provide
3 11	under the medical assistance program to women who require	Medicaid coverage for certain women with breast and cervical cancer.
3 12	treatment for breast or cervical cancer as provided in section	
3 13	249A.3, subsection 2, paragraph "b":	DETAIL: This is no change compared to the estimated FY 2002
3 14	..... \$ 250,000	appropriation.
3 15	5. To the Iowa department of public health:	
3 16	a. For the tobacco use prevention and control initiative,	Healthy lowans Tobacco Trust appropriation to the Department of
3 17	including efforts at the state and local levels, as provided	Public Health to continue the appropriation for prevention and control
3 18	in chapter 142A and for not more than the following full-time	initiatives received from Tobacco Settlement Fund appropriations in
3 19	equivalent positions:	FY 2002.
3 20	..... \$ 5,000,000	DETAIL: This is a decrease of \$4,345,394 and 4.50 FTE positions
3 21	..... FTEs 7.00	compared to the estimated FY 2002 appropriation.
		Activities funded by this appropriation include:
		1. Administration
		2. Community partnerships
		3. School programs
		4. Enforcement
		5. Youth Summit (Just Eliminate Lies)

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6. Counter Marketing
 7. Cessation programs
 8. Surveillance and Evaluation

3 22 (1) The director of public health shall dedicate
3 23 sufficient resources to promote and ensure retailer compliance
3 24 with tobacco laws and ordinances relating to persons under 18
3 25 years of age, and shall prioritize the state's compliance in
3 26 the allocation of available funds to comply with 42 U.S.C. §
3 27 300X-26 and section 453A.2.

Requires the Director of the Department of Public Health to promote and ensure retailer compliance with tobacco laws.

3 28 (2) Of the full-time equivalent positions funded under
3 29 this section, two full-time equivalent positions shall be
3 30 utilized to provide for enforcement of tobacco laws,
3 31 regulations, and ordinances under a chapter 28D agreement
3 32 entered into between the Iowa department of public health and
3 33 the alcoholic beverages division of the department of
3 34 commerce.

Requires 2.00 FTE positions to be used jointly by the Department of Public Health and the Alcoholic Beverages Division of the Department of Commerce for enforcement of tobacco laws.

3 35 (3) Of the funds appropriated in this paragraph "a", not
4 1 more than \$525,759 shall be expended on administration and
4 2 management of the program.

Requires that not more than \$525,759 from the \$5,000,000 appropriation be expended for administrative costs.

4 3 (4) Of the funds appropriated in this paragraph "a", not
4 4 less than 80 percent of the amount expended in the fiscal year
4 5 beginning July 1, 2001, for community partnerships shall be
4 6 expended in the fiscal year beginning July 1, 2002, for that
4 7 purpose.

Requires not less than 80 percent of the funds expended in FY 2002 for Community Partnerships be expended for the same purpose for FY 2003.

DETAIL: The Department of Public Health estimates it will expend approximately \$2,335,000 for Community Partnerships for FY 2002. This includes an expenditure of approximately \$337,000 from funds that were allowed to carry forward from FY 2001. Based on the Department's estimated FY 2002 expenditure, the minimum expenditure for the Program for FY 2003 would be approximately \$1,869,000.

4 8 b. For additional substance abuse treatment under the	Healthy Iowans Tobacco Trust appropriation to the Department of
4 9 substance abuse treatment program:	Public Health to continue the substance abuse treatment program
4 10 \$ 10,000,000	funding received from Tobacco Settlement Fund appropriations in FY
	2002.
	DETAIL: This is a decrease of \$1,825,000 compared to the estimated
	FY 2002 appropriation.
4 11 (1) The department shall use funds appropriated in this	Requires the Department of Public Health to use the funds
4 12 paragraph "b" to enhance the quality of and to expand the	appropriated in this paragraph to enhance the quality of and expand
4 13 capacity to provide 24-hour substance abuse treatment	capacity to provide 24-hour substance abuse treatment programs.
4 14 programs.	
4 15 (2) The department shall use funds appropriated in this	Requires the Department of Public Health to use the funds
4 16 paragraph "b" to expand the length of individual client	appropriated in this paragraph to expand the length of individual client
4 17 substance abuse treatment plans, as necessary to reduce	substance abuse treatment plans.
4 18 program recidivism.	
4 19 (3) The department shall use funds appropriated in this	Requires the Department of Public Health to use the funds
4 20 paragraph "b" to share research-based best practices for	appropriated in this paragraph to share research-based best practices
4 21 treatment with substance abuse treatment facilities.	for treatment.
4 22 (4) The department shall use funds appropriated in this	Requires the Department of Public Health to use the funds
4 23 paragraph "b" to develop a results-based funding approach for	appropriated in this paragraph to develop a results-based funding
4 24 substance abuse treatment services.	approach for substance abuse treatment services.
4 25 (5) The department shall use funds appropriated in this	Requires the Department of Public Health to use the funds
4 26 paragraph "b" to develop a program to encourage individuals	appropriated in this paragraph to develop a mentoring program.
4 27 who are successfully managing their substance abuse problems	
4 28 to serve as role models.	
4 29 c. For the Healthy Iowans 2010 plan within the Iowa	Healthy Iowans Tobacco Trust appropriation to the Department of
4 30 department of public health and for not more than the	Public Health for Healthy Iowans 2010 initiatives.

4 31 following full-time equivalent positions:	DETAIL: This is a decrease of \$159,936 and no change in FTE positions compared to the estimated FY 2002 appropriation.
4 32 \$ 2,390,064	
4 33 FTEs 4.00	
4 34 (1) Of the funds appropriated in this paragraph "c", not	Requires a maximum allocation of \$1,157,482 for core public health functions, including home health care and public health nursing services.
4 35 more than \$1,157,482 shall be used for core public health	
5 1 functions, including home health care and public health	
5 2 nursing services, contracted through a formula by local boards	DETAIL: The allocation is a decrease of \$92,518 compared to the maximum allocation for FY 2002.
5 3 of health, to enhance disease and injury prevention services.	
5 4 (2) Of the funds appropriated in this paragraph "c", not	Requires a maximum allocation of \$381,445 for the implementation and support of a coordinated system of delivery of trauma and emergency medical services.
5 5 more than \$381,445 shall be used for the continuation and	
5 6 support of a coordinated system of delivery of trauma and	DETAIL: The allocation is a decrease of \$18,555 compared to the maximum allocation in FY 2002.
5 7 emergency medical services.	
5 8 (3) Of the funds appropriated in this paragraph "c", not	Requires a maximum allocation of \$409,591 for the State Poison Control Center.
5 9 more than \$409,591 shall be used for the state poison control	
5 10 center.	DETAIL: The allocation is a decrease of \$27,409 compared to the maximum allocation for FY 2002.
5 11 (4) Of the funds appropriated in this paragraph "c", not	Requires a maximum allocation of \$288,770 for environmental epidemiology.
5 12 more than \$288,770 shall be used for the development of	
5 13 scientific and medical expertise in environmental	DETAIL: The allocation is a decrease of \$11,230 compared to the maximum allocation for FY 2002.
5 14 epidemiology.	
5 15 (5) Of the funds appropriated in this paragraph "c", not	Requires a maximum allocation of \$76,388 for prevention strategies to address the leading causes of death in Iowa.
5 16 more than \$76,388 shall be used to implement prevention	
5 17 strategies of healthy Iowans 2010 plan to address the leading	DETAIL: The allocation is a decrease of \$5,112 compared to the maximum allocation for FY 2002.
5 18 causes of death in Iowa.	

5 19 (6) Of the funds appropriated in this paragraph "c", not	Requires a maximum allocation of \$76,388 for childhood lead poisoning prevention.
5 20 more than \$76,388 shall be used for the childhood lead	
5 21 poisoning prevention program.	DETAIL: The allocation is a decrease of \$5,112 compared to the maximum allocation for FY 2002.
5 22 d. For provision of smoking cessation products as provided	Healthy Iowans Tobacco Trust appropriation to the Department of Public Health for smoking cessation products.
5 23 in this paragraph:	
5 24 \$ 75,000	DETAIL: This is no change compared to the estimated FY 2002 appropriation.
5 25 The department shall award grants to free health clinics	Specifies the process for the Department of Public Health to undertake for the grant awards for the smoking cessation products funding. Specifies that certain free health clinics are the possible grantees.
5 26 that are tax-exempt organizations pursuant to 26 U.S.C. § 501	
5 27 (c)(3) to fund the provision of smoking cessation products to	
5 28 patients. The department shall adopt a methodology for the	
5 29 awarding of the grants to the health clinics based upon the	
5 30 order of receipt of applications.	
5 31 6. To the department of corrections:	Healthy Iowans Tobacco Trust appropriation to the Department of Corrections for day programming and drug courts.
5 32 \$ 610,000	DETAIL: This is no change compared to the estimated FY 2002 appropriation.
5 33 a. Of the funds appropriated in this subsection, \$127,217	Requires an allocation of \$127,217 for the Community Based Corrections District II.
5 34 is allocated to the second judicial district department of	
5 35 correctional services to replace expired federal funding for	DETAIL: No change in the allocation compared to the FY 2002 allocation.
6 1 day programming.	
6 2 b. Of the funds appropriated in this subsection \$35,359 is	Requires an allocation of \$35,359 for Community Based Corrections District III.
6 3 allocated to the third judicial district department of	
6 4 correctional services to replace expired federal funding for	DETAIL: No change in the allocation compared to the FY 2002
6 5 the drug court program.	

6 6 c. Of the funds appropriated in this subsection, \$191,731
 6 7 is allocated to the fourth judicial district department of
 6 8 correctional services for a drug court program.

allocation.

Requires an allocation of \$191,731 for Community Based Corrections District IV.

DETAIL: No change in the allocation compared to the FY 2002 allocation.

6 9 d. Of the funds appropriated in this subsection, \$255,693
 6 10 is allocated to the fifth judicial district department of
 6 11 correctional services to replace expired funding for the drug
 6 12 court program.

Requires an allocation of \$255,693 for Community Based Corrections District V.

DETAIL: No change in the allocation compared to the FY 2002 allocation.

6 13 Sec. 2. PURCHASE OF SERVICE CONTRACT PROVIDERS --
 6 14 REIMBURSEMENT INCREASE. There is appropriated from the
 6 15 healthy lowans tobacco trust created in section 12.65 to the
 6 16 property tax relief fund created in section 426B.1 for the
 6 17 fiscal year beginning July 1, 2002, and ending June 30, 2003,
 6 18 the following amount, or so much thereof as is necessary, to
 6 19 be used for the purposes designated:
 6 20 For assistance to the counties with limited county mental
 6 21 health, mental retardation, and developmental disabilities
 6 22 services fund balances which were selected in accordance with
 6 23 2000 Iowa Acts, chapter 1221, section 3, to receive such
 6 24 assistance in the same amount provided during the fiscal year
 6 25 beginning July 1, 2000, and ending June 30, 2001, to pay
 6 26 reimbursement increases in accordance with 2000 Iowa Acts,
 6 27 chapter 1221, section 3:
 6 28 \$ 146,750

Healthy lowans Tobacco Trust appropriation to the Property Tax Relief Fund for continuation of the local purchase of service provider salary increases requested by counties and approved by the Risk Pool Board in FY 2002 for FY 2003.

DETAIL: For FY 2001, \$2,000,000 was appropriated for this purpose. The counties requested and were approved a total amount of \$146,750. This maintains the funds available for the salary increases, which occurred as a result of the application by counties and approval by the Risk Pool Board. This continues the FY 2002 amount.

6 29 Sec. 3. IOWA EMPOWERMENT FUND. There is appropriated from
 6 30 the healthy lowans tobacco trust created in section 12.65, to
 6 31 the Iowa empowerment fund created in section 28.9 for the
 6 32 fiscal year beginning July 1, 2002, and ending June 30, 2003,
 6 33 for deposit in the school ready children grants account and

Healthy lowans Tobacco Trust appropriation to the Iowa Empowerment Fund.

DETAIL: The FY 2001 appropriations from the Tobacco Settlement Endowment Fund included \$3,800,000 into the Savings Account for

6 34 for distribution as provided in this section:
 6 35 \$ 1,153,250

Healthy Iowans. The FY 2002 appropriation was from the Savings Account to the Iowa Empowerment Fund for the School Ready Children Grants Account. Maintains the current level of funding from this source.

7 1 Sec. 4. IOWA DEPARTMENT OF HUMAN SERVICES. There is
 7 2 appropriated from the healthy Iowans tobacco trust created in
 7 3 section 12.65, to the department of human services for the
 7 4 fiscal year beginning July 1, 2002, and ending June 30, 2003,
 7 5 the following amount, or so much thereof as is necessary, to
 7 6 be used for the purposes designated:
 7 7 For the implementation of the provisions of the federal
 7 8 Health Insurance Portability and Accountability Act, Pub. L.
 7 9 No. 104-191 relating to the medical assistance program:
 7 10 \$ 2,100,000

Healthy Iowans Tobacco Trust appropriation to the Department of Human Services for implementation of the federal Health Insurance Portability and Accountability Act (HIPPA).

DETAIL: The federal Health Insurance Portability and Accountability Act requires all third party payors to use the same claiming process for health-related reimbursements. This is a new appropriation for FY 2003.

7 11 Notwithstanding section 8.33, moneys appropriated under
 7 12 this section that are unobligated or unencumbered at the end
 7 13 of the fiscal year beginning June 30, 2002, and ending June
 7 14 30, 2003, shall not revert, but shall remain available for the
 7 15 specific purposes designated in this section until June 30,
 7 16 2004.

CODE: Specifies that the funds remaining from the appropriation for the Health Insurance Portability and Accountability Act in FY 2003 carry forward into FY 2004.

7 17 Sec. 5. IOWA DEPARTMENT OF PUBLIC HEALTH -- SUBSTANCE
 7 18 ABUSE TREATMENT FACILITY. There is appropriated from the
 7 19 healthy Iowans tobacco trust created in section 12.65, to the
 7 20 Iowa department of public health for the fiscal year beginning
 7 21 July 1, 2002, and ending June 30, 2003, the following amount,
 7 22 or so much thereof as is necessary, to be used for the
 7 23 purposes designated:
 7 24 For operating the substance abuse treatment facility for
 7 25 persons on probation as created in section 135.130 and
 7 26 providing staffing for the facility to be used exclusively to
 7 27 provide substance abuse treatment for persons on probation and

Healthy Iowans Tobacco Trust appropriation to the Department of Public Health for a specific substance abuse treatment facility.

DETAIL: This is a decrease of \$900,000 and no change in FTE positions to provide funding for a substance abuse treatment facility providing treatment for persons on probation and under the supervision of a judicial district within the Departments of Correctional Services. For FY 2002 an appropriation of \$2,000,000 was made from the Tobacco Settlement Endowment Fund. Currently, the majority of these funds remain unexpended.

7 28 under the supervision of the judicial district department of
 7 29 correctional services and for not more than the following
 7 30 full-time equivalent positions:
 7 31 \$ 1,100,000
 7 32 FTEs 60.00

7 33 Sec. 6. PRIOR YEAR NONREVERSION. Notwithstanding 2001
 7 34 Iowa Acts, chapter 184, section 3, subsection 3, 2001 Iowa
 7 35 Acts, chapter 184, section 13, and section 8.33, moneys
 8 1 appropriated under 2001 Iowa Acts, chapter 184, section 3,
 8 2 subsection 2, for the establishment and operating of a
 8 3 substance abuse treatment facility which are unobligated or
 8 4 unencumbered at the end of the fiscal year beginning July 1,
 8 5 2001, and ending June 30, 2002, shall not revert but shall
 8 6 remain available to be used for the purposes designated in
 8 7 2001 Iowa Acts, chapter 184, section 3, subsection 2, for the
 8 8 fiscal year beginning July 1, 2002, and ending June 30, 2003.
 8 9 Any unobligated or unencumbered moneys remaining at the end of
 8 10 the fiscal year beginning July 1, 2002, shall revert to the
 8 11 healthy Iowans tobacco trust.

CODE: Specifies that the funds remaining from the FY 2002 Tobacco Settlement Fund appropriation for the substance abuse treatment facility be allowed to carry forward to be used for the same purpose for FY 2003.

DETAIL: The majority of the \$2,000,000 appropriation from FY 2002 for the substance abuse treatment facility remains unexpended. Any funds unexpended at the close FY 2002 will be combined with the \$1,100,000 appropriation made in Section 5 of this Bill to fund the substance abuse treatment facility for FY 2003.

8 12 Sec. 7. TOBACCO USE PREVENTION AND CONTROL INITIATIVE --
 8 13 FY 2001-2002 NONREVERSION. Notwithstanding section 8.33 and
 8 14 2001 Iowa Acts, chapter 184, section 13, moneys appropriated
 8 15 for the tobacco use prevention and control initiative in 2001
 8 16 Iowa Acts, chapter 184, section 1, subsection 5, paragraph
 8 17 "a", that remain unencumbered or unobligated at the close of
 8 18 the fiscal year shall not revert but shall remain available
 8 19 for expenditure for the purposes designated until the close of
 8 20 the succeeding fiscal year.

CODE: Specifies that the funds remaining from the FY 2002 Tobacco Settlement Fund appropriation for Tobacco Use Prevention and Control be allowed to carry forward to be used for the same purpose for FY 2003.

8 21 Sec. 8. 2001 Iowa Acts, chapter 174, section 1, is amended
 8 22 to read as follows:

8 23 SECTION 1. TOBACCO SETTLEMENT TRUST FUND.

CODE: Transfers \$9,000,000 to the Healthy Iowans Tobacco Trust

8 24 1. Notwithstanding provisions to the contrary in sections
 8 25 99D.17 and 99F.11, and notwithstanding provisions to the
 8 26 contrary in section 8.57, subsection 5, paragraph "e", and
 8 27 following deposits in the general fund of the state, the
 8 28 vision iowa fund created in section 12.72, and the school
 8 29 infrastructure fund created in section 12.82, pursuant to
 8 30 section 8.57, subsection 5, paragraph "e", for the designated
 8 31 fiscal years, the following moneys received pursuant to
 8 32 sections 99D.17 and 99F.11 shall be deposited in the endowment
 8 33 for iowa's health account of the tobacco settlement trust fund
 8 34 created in section 12E.12 for the purposes specified in
 8 35 section 12E.12 for the endowment for iowa's health account:

9 1 FY 2001-2002 \$ 80,000,000
 9 2 FY 2002-2003 \$ 75,000,000
 9 3 FY 2003-2004 \$ 70,000,000
 9 4 FY 2004-2005 \$ 70,000,000
 9 5 FY 2005-2006 \$ 70,000,000
 9 6 FY 2006-2007 \$ 70,000,000

9 7 The total moneys received pursuant to sections 99D.17 and
 9 8 99F.11 in a fiscal year, in excess of the moneys received
 9 9 pursuant to sections 99D.17 and 99F.11 and deposited in the
 9 10 general fund of the state, the vision iowa fund, the school
 9 11 infrastructure fund, and the tobacco settlement trust fund,
 9 12 shall be deposited in the rebuild iowa infrastructure fund and
 9 13 shall be used as provided in section 8.57, notwithstanding
 9 14 section 8.60.

9 15 For the fiscal year beginning July 1, 2002, and ending June
 9 16 30, 2003, of the \$75,000,000 to be deposited in the endowment
 9 17 for iowa's health account of the tobacco settlement trust
 9 18 fund, \$9,000,000 shall be transferred to the healthy iowans
 9 19 tobacco trust created in section 12.65.

9 20 2. There is appropriated from the general fund of the
 9 21 state to the endowment for iowa's health account of the
 9 22 tobacco settlement trust fund created in section 12E.12, for
 9 23 the designated fiscal years, the following amounts, to be used
 9 24 for the purposes specified in section 12E.12 for the endowment

Fund from the FY 2003 \$75,000,000 State Wagering Tax allocation to the Endowment for Iowa's Health Account.

DETAIL: The transferred funds will be used to supplement the FY 2003 allocation of \$55,825,000 to the Trust Fund from the Endowment as established in Section 12E.12, Code of Iowa.

CODE: Eliminates the FY 2003 General Fund appropriation of \$27,087,000 to the Endowment for Iowa's Health Account of the Tobacco Settlement Trust Fund.

9 25 for Iowa's health account:

9 26	FY 2001-2002	\$ 7,248,000
9 27	FY 2002-2003	\$ 27,087,000
9 28	FY 2003-2004	\$ 28,251,000
9 29	FY 2004-2005	\$ 29,785,000
9 30	FY 2005-2006	\$ 29,562,000
9 31	FY 2006-2007	\$ 17,773,000

9 32 Sec. 9. EFFECTIVE DATES.

9 33 1. Section 4 of this Act, relating to the appropriation to
 9 34 the department of human services for the implementation of the
 9 35 federal Health Insurance Portability and Accountability Act,
 10 1 being deemed of immediate importance, takes effect upon
 10 2 enactment.

10 3 2. Section 6 of this Act, relating to nonreversion of
 10 4 funds remaining unencumbered or unobligated which were
 10 5 appropriated for the establishment and operation of a
 10 6 substance abuse treatment facility, being deemed of immediate
 10 7 importance, takes effect upon enactment.

10 8 3. Section 7 of this Act, relating to nonreversion of
 10 9 moneys appropriated for the tobacco use prevention and control
 10 10 initiative, being deemed of immediate importance, takes effect
 10 11 upon enactment.

Specifies the Section relating to the appropriation to the Department of Human Services for the implementation of the federal Health Insurance Portability and Accountability Act takes effect upon enactment.

Specifies the Section relating to the nonreversion of funds appropriated for the substance abuse treatment facility takes effect upon enactment.

Specifies the Section relating to the nonreversion of the FY 2002 funds for the Tobacco Use and Prevention Control Initiative takes effect upon enactment.

10 12 HF 2615

10 13 pf/es/25

Summary Data

Non General Fund

H.F. 2615	Actual FY 2000	Actual FY 2001	Estimated Net FY 2002	House Action FY 2003	House Action vs Est FY 2002	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
Education	\$ 0	\$ 0	\$ 1,153,250	\$ 1,153,250	\$ 0	
Health and Human Rights	\$ 22,269	\$ 24,023,125	\$ 25,795,394	\$ 18,565,064	\$ -7,230,330	
Human Services	\$ 0	\$ 26,500,000	\$ 32,771,426	\$ 44,871,426	\$ 12,100,000	
Justice System	\$ 0	\$ 610,000	\$ 610,000	\$ 610,000	\$ 0	
Grand Total	<u>\$ 22,269</u>	<u>\$ 51,133,125</u>	<u>\$ 60,330,070</u>	<u>\$ 65,199,740</u>	<u>\$ 4,869,670</u>	
Operations	\$ 22,269	\$ 24,633,125	\$ 27,558,644	\$ 22,428,314	\$ -5,130,330	
Grants & Aid	\$ 0	\$ 26,500,000	\$ 32,771,426	\$ 42,771,426	\$ 10,000,000	
Grand Total	<u>\$ 22,269</u>	<u>\$ 51,133,125</u>	<u>\$ 60,330,070</u>	<u>\$ 65,199,740</u>	<u>\$ 4,869,670</u>	

Education

Non General Fund

H.F. 2615	Actual FY 2000	Actual FY 2001	Estimated Net FY 2002	House Action FY 2003	House Action vs Est FY 2002	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Education, Department of</u>						
Empowerment-Tbco			\$ 1,153,250	\$ 1,153,250	\$ 0	PG 6 LN 29
Operations	\$ 0	\$ 0	\$ 1,153,250	\$ 1,153,250	\$ 0	
Grand Total	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 1,153,250</u>	<u>\$ 1,153,250</u>	<u>\$ 0</u>	

Health and Human Rights

Non General Fund

H.F. 2615	Actual FY 2000	Actual FY 2001	Estimated Net FY 2002	House Action FY 2003	House Action vs Est FY 2002	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Health, Department of Public</u>						
Tobacco Use Prev./Control-Tbco	\$ 22,269	\$ 9,323,125	\$ 9,345,394	\$ 5,000,000	\$ -4,345,394	PG 3 LN 16
Substance Abuse-Tbco		11,900,000	11,825,000	10,000,000	-1,825,000	PG 4 LN 8
Healthy Iowans 2010-Tbco		2,800,000	2,550,000	2,390,064	-159,936	PG 4 LN 29
Smoking Cessation Products-Tbc			75,000	75,000	0	PG 5 LN 22
Substance Abuse Treatment-Tbco			2,000,000	1,100,000	-900,000	PG 7 LN 17
Total Health, Department of Public	\$ 22,269	\$ 24,023,125	\$ 25,795,394	\$ 18,565,064	\$ -7,230,330	
Total Health and Human Rights	\$ 22,269	\$ 24,023,125	\$ 25,795,394	\$ 18,565,064	\$ -7,230,330	
Operations	\$ 22,269	\$ 24,023,125	\$ 25,795,394	\$ 18,565,064	\$ -7,230,330	
Grand Total	\$ 22,269	\$ 24,023,125	\$ 25,795,394	\$ 18,565,064	\$ -7,230,330	

Human Services

Non General Fund

H.F. 2615	Actual FY 2000	Actual FY 2001	Estimated Net FY 2002	House Action FY 2003	House Action vs Est FY 2002	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
Human Services, Department of						
Medical Services						
Phys Et Al Provider Inc-Tbco		\$ 6,000,000	\$ 8,095,718	\$ 8,095,718	\$ 0	PG 1 LN 8
Dental Provider Inc-Tbco		3,600,000	3,814,973	3,814,973	0	PG 1 LN 20
Hospital Provider Inc-Tbco		2,300,000	3,035,278	3,035,278	0	PG 2 LN 3
Home Hlth Care Prov Inc-Tbco		2,400,000	2,108,279	2,108,279	0	PG 2 LN 8
Critical Access Hospitals-Tbco		250,000	250,000	250,000	0	PG 2 LN 14
Home Hlth & Hab. Day Care Exp.		4,400,000	1,975,496	1,975,496	0	PG 2 LN 20
Respite Care Expansion-Tbco		1,200,000	1,137,309	1,137,309	0	PG 2 LN 26
CHIP Exp. to 200% of FPL-Tbco		200,000	200,000	200,000	0	PG 3 LN 3
Breast Cancer Treatment			250,000	250,000	0	PG 3 LN 10
Med Assist Supp FY 02-Medicaid			7,500,000	17,500,000	10,000,000	PG 3 LN 7
HIPAA Implementation				2,100,000	2,100,000	PG 7 LN 1
Total Medical Services	0	20,350,000	28,367,053	40,467,053	12,100,000	
Child and Family Services						
RTSS Provider Increase-Tbco		3,100,000	3,243,026	3,243,026	0	PG 1 LN 26
Adoption, Il, Sc, Hs Prov-Tbco		500,000	468,967	468,967	0	PG 1 LN 32
Provider Rate/Meth Chgs-Tbco		550,000	545,630	545,630	0	PG 2 LN 32
Total Child and Family Services	0	4,150,000	4,257,623	4,257,623	0	
MH/MR/DD/BI						
POS Provider Increase-Tbco		2,000,000	146,750	146,750	0	PG 6 LN 13
Total Human Services, Department of	\$ 0	\$ 26,500,000	\$ 32,771,426	\$ 44,871,426	\$ 12,100,000	
Total Human Services	\$ 0	\$ 26,500,000	\$ 32,771,426	\$ 44,871,426	\$ 12,100,000	
Operations	\$ 0	\$ 0	\$ 0	\$ 2,100,000	\$ 2,100,000	
Grants & Aid	\$ 0	\$ 26,500,000	\$ 32,771,426	\$ 42,771,426	\$ 10,000,000	
Grand Total	\$ 0	\$ 26,500,000	\$ 32,771,426	\$ 44,871,426	\$ 12,100,000	

Justice System

Non General Fund

H.F. 2615	Actual FY 2000	Actual FY 2001	Estimated Net FY 2002	House Action FY 2003	House Action vs Est FY 2002	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Corrections, Department of</u>						
CBC District II		\$ 127,217	\$ 127,217	\$ 127,217	\$ 0	PG 5 LN 33
CBC District III		35,359	35,359	35,359	0	PG 6 LN 2
CBC District IV		191,731	191,731	191,731	0	PG 6 LN 6
CBC District V		255,693	255,693	255,693	0	PG 6 LN 9
Total Corrections, Department of	\$ 0	\$ 610,000	\$ 610,000	\$ 610,000	\$ 0	
Total Justice System	\$ 0	\$ 610,000	\$ 610,000	\$ 610,000	\$ 0	
Operations	\$ 0	\$ 610,000	\$ 610,000	\$ 610,000	\$ 0	
Grand Total	\$ 0	\$ 610,000	\$ 610,000	\$ 610,000	\$ 0	

Summary Data

FTE

H.F. 2615	Actual FY 2000	Actual FY 2001	Estimated Net FY 2002	House Action FY 2003	House Action vs Est FY 2002	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
Health and Human Rights	0.17	12.08	75.50	71.00	-4.50	
Grand Total	0.17	12.08	75.50	71.00	-4.50	
Operations	0.17	12.08	75.50	71.00	-4.50	
Grand Total	0.17	12.08	75.50	71.00	-4.50	

Health and Human Rights

FTE

H.F. 2615	Actual FY 2000	Actual FY 2001	Estimated Net FY 2002	House Action FY 2003	House Action vs Est FY 2002	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Health, Department of Public</u>						
Tobacco Use Prev./Control-Tbco	0.17	8.64	11.50	7.00	-4.50	PG 3 LN 16
Healthy Iowans 2010-Tbco		3.44	4.00	4.00	0.00	PG 4 LN 29
Substance Abuse Treatment-Tbco			60.00	60.00	0.00	PG 7 LN 17
Total Health, Department of Public	<u>0.17</u>	<u>12.08</u>	<u>75.50</u>	<u>71.00</u>	<u>-4.50</u>	
Total Health and Human Rights	<u>0.17</u>	<u>12.08</u>	<u>75.50</u>	<u>71.00</u>	<u>-4.50</u>	
Operations	<u>0.17</u>	<u>12.08</u>	<u>75.50</u>	<u>71.00</u>	<u>-4.50</u>	
Grand Total	<u>0.17</u>	<u>12.08</u>	<u>75.50</u>	<u>71.00</u>	<u>-4.50</u>	